

Summary of Proposed 2015 Revisions to the Waukesha County Storm Water Management and Erosion Control Ordinance

Chapter 14, Article VIII - Waukesha County Code of Ordinances

No.	Ordinance Section/(subs.)	Section Title	Changes Made/Explanation (see <i>redline copy</i> for details)*	Page(s)
1.	14-326	Authority for Ordinance	Added new statutory reference (s. 281.33) and state pre-emption language to be consistent with state statutes and administrative rules.	4
2.	14-331 (c)	Jurisdiction	Added subsection "County-owned Lands" to comply with County's stormwater discharge permit requirements under Chapter NR 216.	6
3.	14-332	Definitions	<p>To clarify various ordinance requirements and to be consistent with state codes, <u>added definitions</u> for "Basement", "Connected Imperviousness", "Construction site", "Cropland", "Grassland/Meadow", Highest groundwater table", "Landowner", "Permit holder", "Pervious surfaces", "Qualified professional" and "Sediment".</p> <p><u>Modified definitions</u> for "Applicant", "Best management practice", "County mapping standards", "Impervious surface", "Infiltration system", "Land disturbing activity", "Publicly funded", "Responsible party", "Site" and "Utility".</p>	6-12
4.	14-333	Applicability and Exemptions	Added BMP maintenance as a permit trigger; clarified trigger date for new impervious surfaces; clarified applicability to County highway construction; clarified 1-2 family home exemption per state law; added flexibility for other permit exemptions for sites with no off-site impact.	13-15
5.	14-334 (d) & (f)	Certification of Compliance for Final Plat or CSM	Required land division submittals to be consistent among agencies; clarified that site drainage standards apply to all permits; and clarified that 10 working day review process applies to all proposed land divisions.	17-19

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6.	14-335 (a) - (d)	Stormwater Permit Requirements	Clarified the role of the Project Engineer during the construction phase of permits, including erosion control; clarified the use of inspection logs and exempted smaller sites; added permit phasing option to reduce late season stabilization problems; added involuntary permit transfers to address what happens upon death, foreclosure, etc.; and clarified permit termination requirements for native plantings and addenda to maintenance agreements.	20-24
7.	14-340	Erosion Control Plan Requirements	Updated to 5 tons/acre/year sediment discharge standard per NR 151; clarified specific requirements related to channel erosion and late season soil stabilization; added BMP data requirements for unknown structures; added spill prevention and response procedures per NR 151.	25-30
8.	14-341 (c) - (g)	Stormwater Management Plan Requirements	Modified stormwater performance standards to meet NR 151, including: clarified wetland boundary mapping requirements; clarified modeling methods; added 1-year storm to peak flow control requirements; revised total suspended solids standards; revised infiltration standards, prohibitions, groundwater protection standards and exemptions; and revised protective area standards. Updated basement/groundwater separation requirements per MBA request; added provision for “changes to stormwater discharges” to prevent downstream litigation per case law; clarified requirements for internally drained areas; added new statutory language for “additional requirements”; added exemptions for “no significant off-site impact” determinations by the County.	30-45
9	14-342 (a) & (e)	Technical Standards and Specifications	Added state model references; updated rainfall depths per National Weather Service; updated runoff curve numbers per NR 151; updated rainfall distribution per NRCS (TR-55); updated state agency references for soil evaluations (SPS).	45-47
10.	14-343 (a) & (b)	Maintenance of Stormwater Best Management Practices (BMPs)	Added language for sites that meet ordinance requirements under existing drainage; clarified applicability to new land divisions; added review process for BMPs that use groundwater pumping; corrected statutory reference for special charges.	48-49

* A redline copy of the proposed 2015 ordinance updates is available at: www.waukeshacounty.gov/stormwater